

### REMARKS

This is in response to the Office Action mailed November 20, 2009. Claims 1 through 23 have been cancelled. New Claims 24 through 31 have been added. Applicants respectfully request withdrawal of the outstanding rejections and allowance of the claims.

Support for new Claims 24 through 31 may be found at least in the specification, in paragraphs [0047] through [0075] of the specification, particularly paragraphs [0071] and [0075].

#### Response to Objection to the Amendment Filed August 28, 2009 under 35 U.S.C. §132(a)

In the outstanding Office Action, the amendments to the paragraphs beginning at page 13, line 4, and at page 13, line 14 (equivalent to paragraphs [0071] and [0072], respectively, in U.S. Patent Application Publication No. 2004/0167717) were objected to under 35 U.S.C. §132(a) as introducing new matter.

Applicants hereby cancel the amendments to the paragraphs beginning at page 13, line 4, and at page 13, line 14 as presented in the Response filed August 8, 2009. Accordingly, the Examiner's objection should now be obviated.

#### Response to Rejection of Claims 1-5, and 7-23 under 35 U.S.C. §112, first paragraph

In the outstanding Office Action, Claims 1-5, and 7-23 were rejected under 35 U.S.C. §112 as failing to comply with the enablement requirement.

Applicants have canceled Claims 1-5, and 7-23, and Claim 6 was previously canceled. Accordingly, the Examiner's rejection should now be obviated.

#### Response to Rejection of Claims 1-5, and 7-23 under 35 U.S.C. §102(b)

In the outstanding Office Action, Claims 1-5, and 7-23 were rejected under 35 U.S.C. §102(b) as being anticipated by Sawamoto et al. (EP 0890470 A2). Applicants

have canceled Claims 1-5, and 7-23, and Claim 6 was previously canceled. Accordingly, the Examiner's rejection should now be obviated.

#### New Claims 24-31

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the Applicants' claim. *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990).

New Claim 24 is drawn to a method of sensing targets from a host vehicle. The method includes capturing images in the host vehicle and detecting lane boundaries in the captured images, estimating a projected path for the host vehicle, and detecting, on the host vehicle, the position and distance from the host vehicle of a target vehicle located on the road ahead of the host vehicle. A target lane in which the host vehicle will be located when it has travelled along the projected path is determined by the distance from the host vehicle to the target vehicle. The position of the target vehicle is then compared with the position of the target lane to provide a processed estimate of the actual position of the target vehicle.

The claimed invention is not shown or suggested in the art of record. Specifically, the Sawamoto et al. reference discloses a lane change detector that detects whether a lane change is *currently occurring*. The detector then further determines the lane into which the host vehicle is moving if a lane change occurs (see Sawamoto at col. 6, lines 5 to 14). A distance from the host vehicle to the target vehicle is not considered.

Thus, the Sawamoto et al. reference does not show or suggest a method of sensing targets from a host vehicle including (1) determining a target lane in which the host vehicle will be located when it has travelled along the projected path by the distance from

the host vehicle to the target vehicle, and (2) comparing the position of the target vehicle with the position of the target lane to provide a processed estimate of the actual position of the target vehicle, as required in Claim 24. For at least this reason, new Claim 24 is patentable. Because Claim 24 is patentable, for at least this reason, the claims which depend from Claim 24 are also patentable.

In view of the above, Applicants believe that this application is now in condition for allowance and therefore request favorable consideration.

If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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